

<b>Form PTO-1449 (Substitute) U.S. Department of Commerce Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	<b>Application Number</b>	10/759,841
	<b>Filing Date</b>	January 15, 2004
	<b>First Named Inventor</b>	Michael Wayne Graham
	<b>Art Unit</b>	1635
	<b>Examiner Name</b>	Whiteman, Brian A.
	<b>Attorney Docket No.</b>	0687/74768-AA /JPW/GJG/CS

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	Communication in response to a non-compliant or non-responsive amendment submitted October 5, 2009 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;	
	2	Office Action issued October 1, 2009 in connection with U.S. Serial No. 10/571,384, filed June 1, 2006;	
	3	Supplemental Amendment To May 4, 2009 Amendment Filed In Response To November 3, 2008 Office Action And Supplemental Information Disclosure Statement submitted October 7, 2009 in connection with U.S. Serial No. 10/821,726, filed April 8, 2004;	
	4	Notification of Non-compliant Appeal Brief in Ex Parte Reexamination issued October 22, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;	
	5	Communication in Response to Notification of Non-compliant Appeal Brief submitted November 2, 2009 in connection with Merged Reexamination Nos. 90/007,247 and 90/008,096, filed October 4, 2004 and May 18, 2006, respectively;	
	6	Amendment submitted November 5, 2009 in connection with U.S. Serial No. 09/287,632, filed April 7, 1999; <del>and</del>	
	7	Office Action issued November 4, 2009 in connection with U.S. Serial No. 11/364,183, filed March 1, 2006.	

EXAMINER SIGNATURE	/Brian Whiteman/	DATE CONSIDERED	01/28/2010
--------------------	------------------	-----------------	------------

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.

Applicants: Michael Wayne Graham, et al.  
U.S. Serial No.: 10/759,841  
Filed: January 15, 2004

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BW/

Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	10/759841
				Filing Date	01/15/2004
				First Named Inventor	Michael Graham
				Art Unit	1635
				Examiner Name	B. Whiteman
Sheet	2	of	8	Attorney Docket Number	025122.0101N3US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/BW/ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓ ↓		6,010,908	01-04-2000	Gruenert et al.	
		6,022,863	02-08-2000	Peyman	
		6,133,024	10-17-2000	Helene et al.	
		6,291,504	09-18-2001	Nugiel et al.	
		6,369,038	04-09-2002	Blumenfeld et al.	
		6,372,965	04-16-2002	Lightner et al.	
		6,531,647	03-11-2003	Baulcombe et al.	
		6,635,805	10-21-2003	Baulcombe et al.	
		6,610,321	08-26-03	Huang et al.	
		2007/0078105	04/05/2007	Waterhouse et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> -Number <sup>2</sup> -Kind Code <sup>3</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>4</sup>
/BW/ ↓		WO 97 11170	03/27/1997	P.A. Zamecnik		
		WO 97 44460	11/27/1997	Sanicola-Nadel et al.		
		EP-0213921-A2	03-11-1987	Hem Research, Inc.		
		EP-0281380-A2	09-07-1988	Hem Research, Inc.		
		EP-0286224-A2	10-12-1988	Hem Research, Inc.		
		EP-0300680-A2	01-25-1989	Hem Research, Inc.		
		EP-0303516-A2	02-15-1989	Hem Research, Inc.		
		EP-0306347-A2	03-08-1989	Hem Research, Inc.		
		EP-0308066-A2	03-22-1989	Hem Research, Inc.		
		EP-0318281-A2	05-31-1989	Hem Research, Inc.		
		EP-0325018-A2	07-26-1989	Hem Research, Inc.		
		EP-0347501-A1	12-27-1989	Hem Research, Inc.		
		EP-0350151-A2	01-10-1990	Hem Research, Inc.		
		EP-0983370-B1	03-08-2000	Sygenta Limited		
		AU-200195225-A1	01-31-2002	Benitec Australia Ltd.		
		CA-2012312	09-16-1990	Boehringer Ingelheim International GMBH		
		GB-2353282A-A /	02-21-2001	Benitec Australia Ltd.		
		CA-2370628-A1	10-26-2000	American Home Products Corporation		
		GB-2377221-A	09-27-2001	Benitec Australia Ltd		
		WO-90/12094-A1	10-18-1990	The United States of America as represented by the Secretary, U.S. Department of Commerce		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

<b>Form PTO-1449 (Substitute) U.S. Department of Commerce Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	<b>Application Number</b>	10/759,841
	<b>Filing Date</b>	January 15, 2004
	<b>First Named Inventor</b>	Michael Wayne Graham and Robert Norman Rice
	<b>Art Unit</b>	1635
	<b>Examiner Name</b>	Whiteman, Brian A.
	<b>Attorney Docket No.</b>	0687/74768-AA-JPW/GJG/JRM

## U.S. PATENT DOCUMENTS

Examiner Initials <sup>a</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	44	5,939,600	08-17-1999	Robert Willem Goldbach et al.
	45	5,952,546	09-14-1999	John R. Bedbrook et al.
	46	6,150,585	11-21-2000	Robert Willem Goldbach et al.
	47	7,064,185	06-20-2006	Lester F. Lau
	48	2004/0106566 A1	06-03-2004	Shi-Lung Lin and Shao-Yao Ying
	49	2004/0234504 A1	12-25-2004	Inder M. Verma et al.
	50	60/068,562 (redacted version)	12-23-1997	Andrew Fire et al.
	51	10/571,384	09-10-2004	Peter Michael Waterhouse et al.
	52	2003-0074684 A1	04-17-2003	Michael Wayne Graham and Robert Norman Rice
	53	2002-0150968	10-17-2002	Peng G. Wang and Xi Chen

## FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>a</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>4</sup> Number <sup>5</sup> Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	2	WO 01/12824 A1	02-22-2001		
	13	WO 1999/049029	09-30-1999		
	54	AU 729454	02-01-2001		
	55	AU 20891/91	10-1997		
	56	AU 20891/97	10-1997		
	57	AU-B-34025/93	08-17-1995		
	58	EU 0223399 EPX	05-05-1997		
	59	EU 0240208 EPX	10-07-1987		
	60	EU 0467349 EPX	01-22-1992		
	61	EU 0647715 EPX	04-12-1995		
	62	EU 0779364 EPX	06-18-1997		
	63	EU 0522880 EPX	01-13-1993		

EXAMINER  
SIGNATURE

DATE CONSIDERED

<sup>a</sup>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds of Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BW/

<b>Form PTO-1449 (Substitute) U.S. Department of Commerce Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary).	Application Number	10/759,841
	Filing Date	January 15, 2004
	First Named Inventor	Michael Wayne Graham and Robert Norman Rice
	Art Unit	1635
	Examiner Name	Whiteman, Brian A.
	Attorney Docket No.	0687/74768-AA- JFW/GJG/JRM

## U.S. PATENT DOCUMENTS

Examiner Initials <sup>6</sup>	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

## FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>6</sup>	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	64	EU 0426195 B1	10-17-2001	EPX	
	65	EU 0458367 B1	10-17-2001	EPX	
	66	WO 89/05852	06-29-1989		
	67	WO 89/10396	11-02-1989		
	68	WO 90/12488 A2	11-01-1990		
	69	WO 91/16426	10-31-1991		
	70	WO 91/16440	10-31-1991		
	71	WO 92/04456	03-19-1992		
	72	WO 92/13070	08-08-1992		
	73	WO 92/18625	10-09-1992	92	
	74	WO 92/17596	10-15-1992		
	75	WO 92/21757	12-10-1992		
	76	WO 93/10251	05-27-1993		
	77	WO 94/01550 (redacted version)	01-20-1994		
	78	WO 94/17194	08-04-1994		
	79	WO 94/29465	12-22-1994		
	80	WO 2003/076619 A1	09-18-2003		
	81	WO 95/15394	06-08-1995		
	82	WO 97/11170 A1 (redacted version)	03-27-1997		
	83	WO 97/13865	04-17-1997		
	84	WO 97/16559	05-09-1997		

EXAMINER  
SIGNATURE

DATE CONSIDERED

<sup>6</sup>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds of Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BW/